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PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

October 2, 2000

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Box 16

Washington, D.C. 20231

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U.S. PATENT & TRADEMARK  
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\* BAR MEMBERSHIP OTHER  
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† JAPANESE PATENT ATTORNEY  
\* REGISTERED PATENT AGENT

Enclosed is a copy of our Deposit Account Statement of 4/28/00. See the highlighted charges on **Serial Number 09/462,480 for \$808.00 with fee code #966 and \$260.00 with fee Code #968.**

The Declaration and a Preliminary Amendment were filed 3/6/00, in which the claims were amended to remove all Multiple Dependency. There is no extra fee required for Claims, or for Multiple Dependent Claims. In Addition, when the extra claims were paid on 3/6/00 we in error used the old fee rate and overpaid by \$56.00. **We kindly request a review of this file and refunds of \$808.00, \$260.00 and \$56.00. Please refund a total of \$1124.00.**

**Please refund \$1124.00 to Deposit Account #150030.**

**Copies of the appropriate paper work are attached.**

If you have questions please do not hesitate to contact me. My phone number is 703/412-6452.

With best regards,  
OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

*Beverly J. Davison*  
Beverly J. Davison  
Accounting Department



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return this portion with your check. Make check  
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Date	4-28-00
Page	2

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
4	14	00	28	09544600		704	-35.00	15680.71
4	14	00	153	09471087	10336-0004	105	130.00	15550.71
4	14	00	284	09295413	00075-0091-2	570	25.00	15525.71
4	14	00	290	09315852	10047-0002-5	566	15.00	15510.71
4	14	00	294	08946007	2025-110-27	570	25.00	15485.71
4	14	00	295	09323538	7791-0058-25	570	25.00	15460.71
4	14	00	501	76022678	0834-0238-13	361	325.00	15135.71
4	17	00	2	76022683	0834-0239-13	361	650.00	14485.71
4	17	00	3	08780222	0010-0839-0X	126	240.00	14245.71
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4	17	00	283	09462480	0660-0165-0X	966	808.00	13387.71
4	17	00	285	09462480	0660-0165-0X	968	260.00	13127.71
4	17	00	287	5733819	6285-0002-0	569	25.00	13102.71
4	18	00	103	09463954	3198-0009-3	966	468.00	12634.71
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4	20	00	4	09369892	2421-0367-0X	115	110.00	12997.71
4	20	00	13	018528		580C	150.00	12847.71
4	20	00	29	09493017	0834-0257-0	105	130.00	12717.71
4	20	00	39	60129319	0660-0149-0	566	15.00	12702.71
4	20	00	103	08970615	494-259-27	101	-330.00	13032.71
4	20	00	105	08970615	494-259-27	105	-130.00	13162.71
4	20	00	128	78002710		361	325.00	12837.71
4	20	00	130	78002720		361	325.00	12512.71
4	20	00	132	78002727		361	325.00	12187.71

AN AMOUNT SUFFICIENT TO  
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O.S.&M. File No. 0660-0165-0X PCT By NFO/dtv FF

Due Date NONE

Serial No. 09/462,480

In the Matter of the Application of Brigitte GICQUEL, et al.

For A POLYNUCLEOTIDE FUNCTIONALLY CODING FOR THE LHP PROTEIN FROM MYCOBACTERIUM TUBERCULOSIS, ITS BIOLOGICALLY ACTIVE DERIVATIVE FRAGMENTS, AS WELL AS METHODS USING THE SAME

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐      pps. Specification &      Claims (English Translation)
- ☒ Combined Declaration, Petition & Power of Attorney (3 pages)
- ☒ Submission of Declaration under 37 CFR 1.495
- ☒ PCT Transmittal Letter
- ☐ Verified Statement (Declaration) Claiming Small Entity Status
- ☐ Submission of Verified Statement (Declaration) Claiming Small Entity Status
- ☒ Check for \$ 764.00; ☒ Dep. Acct. Order Form
- ☐ Declaration of
- ☐ Assignment      pages/PTO-1595
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings      sheets
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement; ☐ PTO-1449
- ☐ Cited References (      )
- ☐      Search Report
- ☐ Statement of Relevancy
- ☐ Restriction Response ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition
- ☐ Notice of Appeal

**60 Rec'd PCT/PTO 06 MAR 2000**

Date Rec'd

## TRANSMITTAL LETTER TO THE UNITED STATES

0660-0165-0X PCT

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

CONCERNING A FILING UNDER 35 U.S.C. 371

09/462,480.

INTERNATIONAL APPLICATION NO.  
PCT/IB98/01091INTERNATIONAL FILING DATE  
16 JULY 1998PRIORITY DATE CLAIMED  
16 JULY 1997

## TITLE OF INVENTION

A POLYNUCLEOTIDE FUNCTIONALLY CODING FOR THE LHP PROTEIN FROM  
MYCOBACTERIUM TUBERCULOSIS, ITS BIOLOGICALLY ACTIVE DERIVATIVE FRAGMENTS  
AS WELL AS METHODS USING THE SAME

## APPLICANT(S) FOR DO/EO/US

Brigitte GICQUEL, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Certificate of Mailing by Express Mail
19. ☐ Other items or information:

Submission of Declaration under 37 CFR 1.495

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1))  
09/462,480

INTERNATIONAL APPLICATION NO.  
PCT/IB98/01091

ATTORNEY'S DOCKET NUMBER  
0660-0165-0X PCT

20. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

- ☐ Search Report has been prepared by the EPO or JPO ..... \$840.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00
- ☐ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$760.00
- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS NUMBER FILED NUMBER EXTRA RATE

Total claims 5155 - 20 = 3135 x \$22.00/18.

Independent claims 4 - 3 = 1 x \$82.00/18.

Multiple Dependent Claims (check if applicable) ☐

**TOTAL OF ABOVE CALCULATIONS =**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

**TOTAL FEES ENCLOSED =**

Amount to be:  
refunded \$  
charged \$

☒ A check in the amount of \$764.00 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. in the amount of to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 15-0030 A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.  
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703-413-3000

SIGNATURE

Norman F. Oblon

NAME

24,618

REGISTRATION NUMBER

DATE